

NOT FOR PUBLICATION

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

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MARK AUGUSTOVSKY A #028-156-	:	Hon. Dennis M. Cavanaugh
896,	:	
	:	
Petitioner,	:	ORDER
	:	
v.	:	Civil Action No. 09-CV-4251
	:	(DMC)
	:	
ERIC HOLDER, et al.	:	
	:	
Respondents.	:	

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DENNIS M. CAVANAUGH, U.S.D.J.:

Petitioner filed a Petition for a Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241 challenging Petitioner's detention and submitted an affidavit of service indicating that on August 3, 2009 a copy of the Petition in this matter was served on United States Attorney General Eric H. Holder, Jr., United States Department of Homeland Security Secretary Janet Napolitano, Governor Elect Christopher J. Christie (former United States Attorney for the District of New Jersey), United States Immigration and Customs Enforcement Field Director Christopher Shanahan and Bergen County Jail Warden Robert J. Biggott via mail;

IT IS on this 6 day of Jan, ~~2009~~, 2010

ORDERED that, in accordance with Rule 4 of the Rules Governing Section 2254 Cases, applicable to § 2241 cases through Rule 1(b), see 28 U.S.C. § 2254 Rules 1(b), 4, this Court has screened the Petition for dismissal and determined that dismissal without an

answer and the record is not warranted; and it is further

ORDERED that, within 5 days of the date of the entry of this Order, Respondents shall electronically file a response to the allegations of Petitioner's application for an Order to Show Cause; and it is further

ORDERED that, within 10 days of the date of the entry of this Order, Respondents shall electronically file an answer which responds to the allegations of the Petition paragraph by paragraph; and it is further

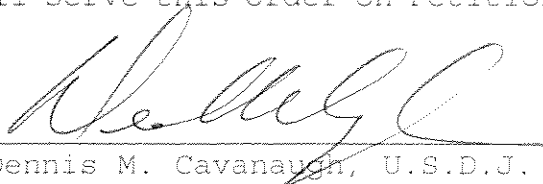
ORDERED that the answer shall state the statutory authority for Petitioner's detention, see 28 U.S.C. § 2243; and it is further

ORDERED that Respondents shall electronically file with the answer certified copies of the administrative record and all documents relating to Petitioner's claim; and it is further

ORDERED that, within 30 days of receipt of the answer, Petitioner shall file and serve a reply to the answer; and it is further

ORDERED that, within 7 days of Petitioner's release, be it on parole or otherwise, Respondents shall electronically file a written notice of the same with the Clerk; and it is finally

ORDERED that the Clerk shall serve this Order on Petitioner by regular mail.

  
Dennis M. Cavanaugh, U.S.D.J.

Original: Clerk's Office  
cc: All Counsel of Record  
File